

## Bureau of Customs and Border Protection, DHS, Treasury

## § 103.2

pursuant to the provisions of the Freedom of Information Act (FOIA), as amended (5 U.S.C. 552), the Privacy Act of 1974, as amended (5 U.S.C. 552a), and/or under other statutory or regulatory authorities, as required by administrative and/or legal processes. The regulations for this part contain a discussion of applicable fees for the search, duplication, review, and other tasks associated with processing information requests pursuant to the FOIA, and also provide for the appeal of agency decisions and sanctions for the improper withholding and/or the untimely release of requested information. As information obtained by Customs is derived from a myriad of sources, persons seeking information should consult with the appropriate field officer before invoking the formal procedures set forth in this part. These regulations supplement the regulations of the Department of the Treasury regarding public access to records, which are found at 31 CFR part 1, and, in the event of any inconsistency between these regulations and those of the Department of the Treasury, the latter shall prevail. For purposes of this part, the Office of the Chief Counsel is considered a part of the United States Customs Service.

[T.D. 96-36, 61 FR 19838, May 3, 1996, as amended by T.D. 99-27, 64 FR 13675, Mar. 22, 1999]

### Subpart A—Production of Documents/Disclosure of Information Under the FOIA

#### § 103.1 Public reading rooms.

Each office listed below will maintain a public reading room or public reading area where the material required to be made available under 5 U.S.C. 552(a)(2) and this part may be inspected and copied:

United States Customs Service (Headquarters), 1300 Pennsylvania Avenue, NW., Washington, DC 20229  
Boston, 10 Causeway Street, Boston, Massachusetts 02222  
New York, One Penn Plaza, 10th Floor, New York, NY 10119  
Chicago, Room 1501, 55 East Monroe Street, Chicago, Illinois 60603  
Miami, 99 S.E. 5th Street, Miami, Florida 33131

New Orleans, Canal-LaSalle Building, Rm. 302, 423 Canal St., New Orleans, Louisiana 70130

Houston, 5850 San Felipe, Houston, Texas 77057

Los Angeles, New Federal Building, 300 N. Los Angeles Street, Los Angeles, California 90012.

The reading rooms are open to the public during regular business hours unless other hours are posted, Monday through Friday of each week, exclusive of national holidays. A fee for copies of requested material is charged in accordance with § 103.10.

[T.D. 81-168, 46 FR 32565, June 24, 1981, as amended by T.D. 83-209, 48 FR 45544, Oct. 6, 1983; T.D. 95-77, 60 FR 50019, Sept. 27, 1995; T.D. 99-27, 64 FR 13675, Mar. 22, 1999; CBP Dec. 07-76, 72 FR 52782, Sept. 17, 2007]

#### § 103.2 Information available to the public.

(a) *General.* The Freedom of Information Act, as amended (5 U.S.C. 552), provides for access to information and records developed or maintained by Federal agencies. Subject only to the exemptions set forth in § 103.12, the public generally or any individual member is entitled to information or records which are described in paragraph (b) of this section and which are in the possession of the United States Customs Service. Access to that information is governed by the regulations in this part.

(b) *Three categories of information available.* Generally, 5 U.S.C. 552 divides agency information into three major categories and provides methods by which each category is available to the public. The three major categories, for which the disclosure requirements of the United States Customs Service are set forth in this part, are as follows:

(1) Information required to be published in the FEDERAL REGISTER (see § 103.3).

(2) Information required to be made available for public inspection and copying or, in the alternative, to be published and offered for sale (see § 103.4).

(3) Information required to be made available to any member of the public upon specific request (see § 103.5).